

**IN THE FEDERAL DISTRICT COURT  
NORTHERN DISTRICT OF OHIO | EASTERN DIVISION**

**TONYA BEY**

27701 Mills Avenue, Apt. M  
Euclid, Ohio 44132,

and

**RAISHEENA BEY**

27701 Mills Avenue, Apt. M  
Euclid, Ohio 44132,

and

**RAISHAUNA BEY**

27701 Mills Avenue, Apt. M  
Euclid, Ohio 44132

Plaintiffs,

v.

**UNITED STATES OF AMERICA**

Carol M. Skutnick

UNITED STATES ATTORNEY

**THE NORTHERN DISTRICT OF OHIO**

**OFFICE OF THE UNITED STATES**

**ATTORNEY**

United States Courthouse

801 West Superior Avenue, Suite 400

Cleveland, Ohio 44113-1852

And

**UNITED STATES POSTAL SERVICE**

2400 Orange Avenue,

Cleveland, Ohio 44101

And

**LAKESHIA R. ALLISON**

1042 East 176<sup>th</sup> Street

Cleveland, Ohio 44119

Defendants.

) **CASE NO.:**

) **JUDGE:**

) **TYPE:PERSONAL INJURY**

) **COMPLAINT**

) (Jury Demand Endorsed Hereon)

Now come Plaintiffs, Tonya Bey, Raisheena Bey, and Raishauna Bey, by and through their duly authorized attorneys, and for their complaint against Defendants the United States of America and the United States Postal Service and Lakeshia R. Allison, state the following:

**JURISDICTION, VENUE AND PARTIES**

1. This Court has subject matter jurisdiction over this matter pursuant to 28 U.S.C. 1331 in that this action arises under the laws of the United States of America and is premised on the acts and omissions of the Defendant United States of America and United States Postal Service acting under color of federal law. This Court further has subject matter jurisdiction over this matter pursuant to 28 U.S.C. 1346(b) in that this is a claim against the Defendant United States of America and United Postal Service for personal injury caused by the negligent and wrongful act and omissions of a U.S. Postal Service employee while in the course and scope of her employment.

2. Jurisdiction founded upon the federal law is proper in that this action is premised upon federal causes of action under the Federal Tort Claims Act, 28 U.S.C. 2671 et seq.

3. On August 12, 2024, Plaintiffs presented their claims to the United States Postal Service through the appropriate federal agency for administrative settlement as required by 28 U.S.C. 2401(b). (A copy of the United States Postal Service letter, dated October 21, 2024, acknowledging receipt is attached hereto as Exhibit “A”.) Furthermore, six months have expired after the aforementioned presentation without resolution or denial of the presented claims.

4. This action is timely pursuant to and in compliance with 28 U.S.C 2401(b) in that it was presented to the appropriate federal agency within two years of accrual and this action was filed within six months after the expiration of six months following the aforementioned presentation.

5. Venue is proper in this district pursuant to 28 U.S.C. 1391.

6. Plaintiffs reside in the County of Cuyahoga and State of Ohio.

7. At all times mentioned herein, Plaintiff Tonya Bey was, is, the mother of Plaintiff Raisheena Bey and Plaintiff Raishauna Bey.

8. The U.S Postal Service is an agency of the Defendant United States of America. Alternatively, it is an independent establishment of the executive branch of the Government of the United State subject to claims pursuant to the Federal Tort Claims Act or other law. At all times pertinent, Lakeshia R. Allison was a Postal Service Employee acting within the course and scope of her employment.

### **FIRST CAUSE OF ACTION**

9. All the statements and allegations contained in paragraphs 1 through 8 of the Plaintiffs' complaint are reaverred and realleged as if fully rewritten herein.

10. At all times mentioned herein, Plaintiff Tonya Bey was the owner and operator of a Ford automobile.

11. At all times mentioned herein, Plaintiff Raisheena Bey and Plaintiff Raishauna Bey were passengers in the Ford automobile owned and operated by Plaintiff Tonya Bey.

12. At all times mentioned herein, Lakeshia R. Allison was operating a vehicle owned by the United States Postal Service and upon information and belief, was in the course and scope of her employment with the United States Postal Service and/or United States of America.

13. On or about December 16, 2023, Plaintiff Tonya Bey was operating her Ford automobile on Lakeshore Blvd., a duly dedicated public street and/or highway in the City of Euclid, County of Cuyahoga, and State of Ohio.

14. At the above-mentioned time and place, Lakeshia Allison carelessly and negligently operated the above-mentioned vehicle, said negligence including, but not limited to,

failing to yield the right of way to the automobile operated by Plaintiff Tonya Bey, and crashed into the automobile operated by Plaintiff Tonya Bey, and in which Plaintiff Raisheena Bey and Plaintiff Raishauna Bey were riding, causing Plaintiff Tonya Bey to sustain injuries and damages.

15. The negligence of Lakeshia Allison, in addition to that herein above alleged, consisted of (a) failing to obey the rules of the road requiring her to yield to traffic; (b) failing to keep a proper lookout in the light of traffic conditions then and there existing; and (c) failing to control the automobile that she was operating.

16. The aforementioned collision was in no manner attributable to any fault or lack of care on the part of Plaintiff Tonya Bey, who at all times pertinent hereto was in the exercise of due care.

17. As a direct and proximate result of the carelessness and negligence of Lakeshia Allison, Plaintiff Tonya Bey suffered, and will continue to suffer painful, severe, and permanent injuries of the mind and body, pain and suffering and loss of enjoyment of life.

18. As a further direct and proximate result of the carelessness and negligence of Lakeshia Allison, Plaintiff Tonya Bey incurred, and will continue to incur, expenses for medical attention and treatment, lost earnings, loss of earning capacity as well as property damage to her vehicle and the cost to repair same and/or the diminution of value of said vehicle, as well as damages for loss of use of the vehicle.

Wherefore, Plaintiff Tonya Bey demands judgement as set forth below.

### **SECOND CAUSE OF ACTION**

19. All the statements and allegations contained in paragraphs 1 through 18 of the Plaintiffs' complaint are reaverred and realleged as if fully rewritten herein.

20. As a direct and proximate result of the carelessness and negligence of Lakeshia

Allison, Plaintiff Raisheena Bey suffered, and will continue to suffer, painful, severe, and permanent injuries of the mind and body, pain and suffering and loss of enjoyment of life.

21. As a further direct and proximate result of the carelessness and negligence of Lakeshia Allison, Plaintiff Raisheena Bey incurred, and will continue to incur, expenses for medical attention and treatment, lost earnings, and loss of earning capacity.

Wherefore, Plaintiff Raisheena Bey demands judgement as set forth below.

### **THIRD CAUSE OF ACTION**

22. All the statements and allegations contained in paragraphs 1 through 21 of the Plaintiffs' complaint are reaverred and realleged as if fully rewritten herein.

23. As a direct and proximate result of the carelessness and negligence of Lakeshia Allison, Plaintiff Raishauna Bey suffered, and will continue to suffer, painful, severe, and permanent injuries of the mind and body, pain and suffering and loss of enjoyment of life.

24. As a further direct and proximate result of the carelessness and negligence of Lakeshia Allison, Plaintiff Raishauna Bey incurred, and will continue to incur, expenses for medical attention and treatment, lost earnings, and loss of earning capacity.

Wherefore, Plaintiff Raishauna Bey demands judgement as set forth below.

WHEREFORE, Plaintiffs Tonya Bey, Raisheena Bey and Raishauna Bey, demand judgment against Defendants United States of America and the United States Postal Service and Lakeshia R. Allison, individually and/or jointly and/or severally, as follows:

As and for the First Claim, compensatory damages in an amount fifty thousand dollars (\$50,000.00) for Plaintiff Tonya Bey, attorney's fees, interest, costs of this action, and any other relief this Honorable Court deems equitable and just; and

As and for the Second Claim, compensatory damages in an amount in an amount of fifty thousand dollars (\$50,000.00) for Plaintiff Raisheena Bey, attorney's fees, interest, costs of this action, and any other relief this Honorable Court deems equitable and just; and

As and for the Third Claim, compensatory damages in an amount of fifty thousand dollars (\$50,000.00) for Plaintiff Raishauna Bey, attorney's fees, interest, costs of this action, and any other relief this Honorable Court deems equitable and just.

Respectfully submitted,

/s/ John W. Burnett  
John W. Burnett, Esq. (#0039140)  
**THE SKOLNICK WEISER LAW FIRM**  
600 Superior Ave. East, Ste. 2505  
Cleveland, Ohio 44114  
(216) 861-8888 - phone  
(216) 566-8810 - fax  
[john@skolnicklaw.com](mailto:john@skolnicklaw.com)  
Counsel for Plaintiffs

**JURY DEMAND**

Plaintiffs hereby request a trial by the maximum number of jurors in the within action.

/s/ John W. Burnett  
John W. Burnett, Esq. (0039140)  
**THE SKOLNICK WEISER LAW FIRM**